

## **JOINT MEETING MINUTES**

Minority Owned and Local Small Business Task Force

Procurement Policies and Regulations Task Force

February 12, 2015 – 5:00 p.m.

5<sup>th</sup> Floor Council Conference Room

Council Office Building

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### Minority Owned and Local Small Business

#### *Task Force Members Present:*

Mayra Bayonet

Margo Briggs

Warren Fleming

Janice Freeman

Julian Haffner

Leon Hollins

Herman Taylor

Bethsaida Wong

#### *Task Force Members Absent:*

Cherian Eapen

### Procurement Policies and Regulations

#### *Task Force Members Present:*

Charles Atwell

Wayne Cobb

Tom Creamer

Eppie Hankins

Buddy Henley

Linda Moore

David Robbins

Daniel Parra

Jan Zappold

### County Staff Present:

Grace Denno, Department of General Services

David Dise, Department of General Services

Bob Drummer, County Council

Karen Federman Henry, County Attorney

Beryl Feinberg, Department of General Services

Marie Jean-Paul, County Council

Pam Jones, Department of General Services

Richard Melnick, County Attorney

Linda McMillan, County Council

Linda Price, County Council

Veronica Walton, Department of General Services

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The Joint meeting was called to order by Task Force Chairs Taylor and Robbins at 5:03 p.m.

### **I. Introductions and Remarks**

The Chairs introduced themselves and then asked members of the Minority Owned and Local Small Business (MOLSB) and Procurement Policies and Regulations (PPR) Task Forces to introduce themselves and briefly say why they were interested in serving.

Council President George Leventhal and Councilmember Nancy Navarro, Chair of the Government Operations and Fiscal Policy Committee welcomed the members and gave remarks. Council President Leventhal spoke on the 8 contracts and procurement related Bills that are pending, and requested that Task Force members review the pending pieces of legislation and provide comments to the Council. Councilmember Navarro also noted that bills 14-14 and 29-14 have been voted out of Committee, but have not yet gone to the full Council.

The following bills are pending before the Council:

14-14 Wage Requirements – Health Insurance – Amendments;

29-14 Wage Requirements – Reporting;

40-14 Prevailing Wage Requirements – Apprenticeship Training;

48-14 Purchases from Minority Owned Businesses – Procedures – Request for Proposals;  
49-14 Formal Solicitation – Reciprocal Local Preference;  
61-14 Local Business Subcontracting Program;  
5-15 Health Insurance Preference; and  
7-15 Reorganization – Executive Branch – Procurement.

David Dise, Director of the Department of General Services, introduced himself. He noted that there has been a need to streamline the procurement process. He also emphasized the need to get more participation and engagement so that more firms, particularly MFD firms, apply. He noted that the Disparity Study showed that 65% of African American firms that applied were selected, but there are not enough MFD firms applying.

Pam Jones, Chief of Procurement, introduced herself and said there is a need for better outreach and that she is hoping the Task Forces can provide specific recommendations.

Grace Denno, Manager of the Office of Business Relations and Compliance (OBRC), introduced herself and gave a brief description of the programs she oversees such as Minority Female and Disabled Owned Business Program, Local Small Business Reserve Program, Living Wage, Prevailing Wage and Equal Benefits Law. She introduced her colleague Veronica Walton who has just started as the Marketing Program Manager for the OBRC. She mentioned an upcoming outreach event that OBRC is hosting on February 25.

Richard Melnick and Karen Federman Henry from the County Attorney's office introduced themselves as did Bob Drummer, Council Attorney. Mr. Melnick will serve as a legal contact for the Procurement Policies and Regulations Task Force, while Ms. Federman-Henry will serve as a legal contact for the Minority Owned and Local Small Business Task Force.

## **II. Questions and Comments**

There was a brief question and answer session between Task Force members and DGS and legal Staff.

- Department of Economic Development involvement.
  - Chair Taylor asked how Procurement coordinates with DeVance Walker's programs in the Department of Economic Development, noting that some people think that Mr. Walker handles contracting. Grace Denno clarified that DED markets all of the procurement programs as a part of their overall business outreach activities.
- Procurement Innovation Project
  - In response to questions, David Dise said that the Procurement Innovation Project will be a workflow process mapping to find the low-hanging fruit for streamlining the process in coordination with the creation of a separate Procurement Department.
- Data metrics
  - A member inquired if there is data on the percentage of contractors, such as Latino Tier 2/Tier 3 contractors. Currently, the Task Forces can ask DGS for data by commodity. However, DGS will soon roll out software that can track data by subcontractor.

- Bill 61-14
  - A question was asked whether the local business requirement in Bill 61-14 (Local Business Subcontracting Program) could be met by a large firm like Marriott. Bob Drummer, responded that the bill is aimed at large value contracts, which are mostly construction, so the expectation is that this will be a requirement for subcontracting. However, if Marriott were to bid on a contract they would be considered a local business.

### **III. Logistics and Administrative Items**

The meeting was turned over to Linda Price, who is serving as staff liaison for both Task Forces to discuss logistics and administrative items.

- Open Meetings Law - Signs will be posted for all meeting, which are open to the public. There will soon be a link to the Task Forces off the Council homepage with meeting schedules, agendas, and minutes. Finally, Ms. Price reminded members to refer to the Open Meetings Law that was provided to all members when their application was confirmed.
- Attendance - Ms. Price advised all members to notify her and their respective Chair prior to the meeting if they will be absent. Additionally, members can attend by conference call, with approval from the Chair for special circumstances. Finally, Ms. Price reminded members of the absenteeism policy that was provided to all members.
- Snow Policy (Inclement Weather) – Both Task Forces will follow MCPS school closures when deciding to postpone or cancel meetings, even if Montgomery County Government is open. Therefore, if Montgomery County Public Schools open late, morning meetings are cancelled; if schools close early, or if afternoon or evening activities are cancelled, evening meetings are cancelled; if schools are closed all day, all meetings for that day will be cancelled. However, Staff will still notify the group of any cancellations.
- Background Material - Both Task Force members received binders with the Task Force creation and appointment resolutions, member contact list, Procurement Regulations, Disparity Study, and FY14 Record of Procurements.
  - Members of the MOLSB Task Force also received the Minority Owned Business and Local Small Business Reserve Program sections of the County Code, OLO Report 2014-11 and bill packets and testimony for Bills 48-14, 49-14, 61-14.
  - Members of the PPR Task Force also received the County State Procurement Presentation, and bill packets and testimony for Bills 14-14, 29-14, 40-14, 5-15, 7-15.
- Minutes - Action minutes will be distributed prior to the next regularly scheduled meeting. Task Force members should review the minutes and notify the group of any changes or corrections ahead of the meeting in order to have the final minutes voted on at the start of the next meeting.
- Future meeting schedule - Staff recommends that both Task Forces set a bi-monthly meeting schedule. Both groups can revisit and revise the schedule after the first month or two of meetings.
  - The Minority Owned and Local Small Business Task Force voted to hold their next meeting on Wednesday, February 25<sup>th</sup> from 6:00 - 7:30 pm.
  - Chair Robbins advised Procurement Policies and Regulation Task Force members that a date for the next meeting would be discussed over email.

- Timeline - Staff laid out a tentative timeline for both Task Forces to assist in developing a work plan through September. Ms. Price advised both Task Forces that September 15 is the deadline for report submission to the Council. She suggested using from now through April to hear from speakers and review pending legislation, processes and issues. May through September 15 could then be used to draft recommendations, seek public input, and finalize and transmit reports to the Council. It was noted that seeking public input is a requirement from the Council.

Chair Robbins asked Ms. Price to better define a scope of work for the PPR Task Force. He also requested that members review all of the materials that have been provided in their binder before the next meeting and identify three areas of concern. For example, some areas that come to mind are a lack of a uniform contract and the need for improvements to the dispute rules.

#### **IV. Group Discussion and Public Comment**

Task Force members expressed their desire for there to be a link between the Procurement Innovation Project, with the suggestion that the Task Forces receive some kind of report. Additionally, a request was made to receive the names of the vendors sampled in the Disparity Study. Lastly, Task Force members asked to receive the Council meeting dates for the upcoming worksessions on the pending contracts and procurement bills, which are listed below.

Bill 14-14	Council Worksession, tbd
Bill 29-14	Council Worksession, tbd
Bill 40-14	GO Committee Worksession, March 12, 2015
Bill 48-14	GO Committee Worksession, March 19, 2015
Bill 49-14	GO Committee Worksession, March 12, 2015
Bill 61-14	GO Committee Worksession, March 19, 2015
Bill 5-15	Public Hearing, March 3, 2015, GO/HHS Committee Worksession, March 19, 2015
Bill 7-15	Public Hearing, February 24, 2015 and GO Committee Worksession, March 9, 2015

There were no comments from public meeting participants.

The meeting adjourned at 6:26 *p.m.*

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